

# EXHIBIT A

**202106531, NARCISSE, JACKEE vs. BOTTLING GROUP LLC (D/B/A PEPSICO)**

TX District & County - Harris (District Only)

Harris

This case was retrieved on 03/02/2021

## Header

---

**Case Number:** 202106531

**Date Filed:** 02/02/2021

**Date Full Case Retrieved:** 03/02/2021

**Status:** Open

**Misc:** (43) DISCRIMINATION; Civil

## Summary

---

**Case Type:** Civil

**Judge:** ELAINE H PALMER

**Court Number:** 215th

## Participants

---

### Litigants

NARCISSE, JACKEE  
**PLAINTIFF - CIVIL**

BOTTLING GROUP LLC (D/B/A PEPSICO)

**DEFENDANT - CIVIL**

PEPSICO

**DEFENDANT - CIVIL**

BOTTLING GROUP LLC (D/B/A PEPSICO)(A  
CORPORATION) MAY BE SERVED BY  
**REGISTERED AGENT**

### Attorneys

MURPHY, MARJORIE A.  
**PLAINTIFF - CIVIL**  
Status: Active

## Services

---

Type	Status Description	Instrument Served	Person Served	Details
CITATION	SERVICE ISSUED/IN	ORIGINAL	BOTTLING GROUP LLC (D/B/A	Requested Date:

Carol Qualls

EXHIBIT A

202106531, NARCISSE, JACKEE vs. BOTTLING GROUP LLC (D/B/A PEPSICO)

Type	Status Description	Instrument Served	Person Served	Details
(CERTIFIED)	POSSESSION OF SERVING AGENCY	PETITION	PEPSICO)(A CORPORATION) MAY BE SERVED BY	02/02/2021  Issued Date: 02/03/2021 Tracking Number: 73837602 Deliver To: CVC/CTM SVCE BY CERTIFIED MAIL

## Proceedings

Date	#	Proceeding Text	Details
02/02/2021		ORIGINAL PETITION	Attorney: MURPHY, MARJORIE A. PersonFiling: NARCISSE, JACKEE
02/02/2021		PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE	Document Number: 94224737/ 94224738 Pages: 10
02/03/2021		Certified Mail Tracking Number 7018 2290 0001 3525 5149	Document Number: 94244080 Pages: 2
02/03/2021		Reference for Issuance of Service	Document Number: 94239937 Pages: 1
02/04/2021		Certified Mail Receipt	Document Number: 94309778 Pages: 1

Copyright © LexisNexis CourtLink, Inc. All Rights Reserved.

\*\*\* THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY \*\*\*

End of Document

**202106531 - NARCISSE, JACKEE vs. BOTTLING GROUP LLC (D/B/A PEPSICO) (Court 215)**Chronological History  
(non-financial) **Print All**

[Summary](#)
[Appeals](#)
[Cost Statements](#)
[Transfers](#)
[Post Trial Writs](#)
[Abstracts](#)
[Parties](#)  
[Court Costs](#)
[Judgments/Events](#)
[Settings](#)
[Services/Notices](#)
[Court Registry](#)
[Child Support](#)
[Images](#)

Click column headings to sort. Click again to toggle direction.  
Service will be available 24 hours from date of issuance.

**Print Service** **Services Notices**

	Type	Status Description	Instrument Served	Person Served	Requested Date	Issued Date	Served Date	Returned Date	Received By Clerk	Tracking Number	Deliver To
	CITATION (CERTIFIED)	SERVICE ISSUED/IN POSSESSION OF SERVING AGENCY	ORIGINAL PETITION	BOTTLING GROUP LLC (D/B/A PEPSICO)(A CORPORATION) MAY BE SERVED BY	2/2/2021	2/3/2021				73837602	CVC/CTM SVCE BY CERTIFIED MAIL

[WS4]

**202106531 - NARCISSE, JACKEE vs. BOTTLING GROUP LLC (D/B/A PEPSICO) (Court 215)**Chronological History  
(non-financial) 

Summary	Appeals	Cost Statements	Transfers	Post Trial Writs	Abstracts	Parties
Court Costs	Judgments/Events	Settings	Services/Notices	Court Registry	Child Support	Images

\* Note: Not every case file in our library of records is available in electronic format. (A document may be filed in a case that is not viewable electronically.) Only non-confidential civil/criminal documents are available to the public. If a document in a case you are looking for is not available, please click here to notify Customer Service.

Purchase Order  
( 0 documents )

Print List

Image No.	Type	Title Sort]	[Reset	Post Jdgm	Date	Pages	Add Entire Case
94309778	Filing	Certified Mail Receipt			02/04/2021	1	Add to Basket
94239937	Filing	Reference for Issuance of Service			02/03/2021	1	Add to Basket
94244080	Filing	Certified Mail Tracking Number 7018 2290 0001 3525 5149			02/03/2021	2	Add to Basket
94224737	Filing	PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE			02/02/2021	9	Add to Basket
-> 94224738	Filing	Civil Case Information Sheet			02/02/2021	1	Add to Basket

[WS4]

CAUSE NUMBER (FOR CLERK USE ONLY): COURT (FOR CLERK USE ONLY):

STYLED Jackee Narcisse vs. Bottling Group, LLC d/b/a PepsiCo

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

<b>1. Contact information for person completing case information sheet:</b> Name: Marjorie Murphy Email: marjorie@themurphyllawpractice.com Address: 2101 Citywest Blvd, Ste. 100 City/State/Zip: Houston, TX 77042 Telephone: 832-564-3804 Fax: 832-553-7441 Signature: [Signature] State Bar No: 24013218		<b>Names of parties in case:</b> Plaintiff(s)/Petitioner(s): Jackee Narcisse Defendant(s)/Respondent(s): Bottling Group, LLC d/b/a PepsiC		<b>Person or entity completing sheet is:</b> <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: Additional Parties in Child Support Case: Custodial Parent: Non-Custodial Parent: Presumed Father:	
<b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>					
<b>Civil</b>			<b>Family Law</b>		
<b>Contract</b> <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: <input type="checkbox"/> Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:		<b>Injury or Damage</b> <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <input type="checkbox"/> Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <input type="checkbox"/> Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:		<b>Real Property</b> <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: <b>Related to Criminal Matters</b> <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	
<b>Employment</b> <input checked="" type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		<b>Other Civil</b> <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:		<b>Marriage Relationship</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children <b>Other Family Law</b> <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	
<b>Tax</b> <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		<b>Post-judgment Actions (non-Title IV-D)</b> <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order <b>Parent-Child Relationship</b> <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:			
<b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
<b>4. Indicate damages sought (do not select if it is a family law case):</b> <input checked="" type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000					

CAUSE NO. \_\_\_\_\_

JACKEE NARCISSE

*Plaintiff*

V.

BOTTLING GROUP, LLC

d/b/a

PEPSICO

*Defendant*

§ IN THE DISTRICT COURT OF

§

§

§

§

§

HARRIS COUNTY, TEXAS

§

§

§

§

§

§

§

\_\_\_\_ JUDICIAL DISTRICT

**PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE****TO THE HONORABLE JUDGE OF THIS COURT:**

COMES NOW Plaintiff, Jackee Narcisse, (hereinafter, Plaintiff or "Ms. Narcisse") complaining of Defendant Bottling Group, LLC d/b/a PepsiCo (hereinafter, "Defendant" or "PepsiCo"), and in support of her causes of action would respectfully show the Court as follows:

**I.****DISCOVERY LEVEL**

1. Discovery is intended to be conducted under Level 2 pursuant to Rule 190.3 of the Texas Rules of Civil Procedure.

**II.****JURISDICTION, PARTIES AND VENUE**

2. Venue is proper in Harris County, Texas, pursuant to Section 15.02(a) (1), as all or substantial part of the events or omissions giving rise to this claim occurred in Harris County, Tex. Civ. Prac. & Rem. Code § 15.002 (a) (2).

3. Plaintiff, Jackee Narcisse, is an individual who resides in Harris County, Texas.

4. Plaintiff, Jackee Narcisse, is an openly, gay woman and her employment with Defendant was protected by the Texas Commission on Human Rights Act at all relevant times of



the allegations in this lawsuit. Ms. Narcisse was, at all relevant times, an employee within the meaning of the applicable statutes.

5. Defendant Bottling Group, LLC d/b/a PepsiCo is a corporation doing business in Harris County, Texas and can be served with process by delivering a true and correct copy of this Original Petition by serving its registered agent of record: CT Corporation System, 1999 Bryan Street, Ste. 900, Dallas, Texas 75201-3136.

6. The Court has jurisdiction over this matter in accordance with the Texas Civil Practices and Remedies Code.

**VICARIOUS LIABILITY--RESPONDEAT SUPERIOR**

7. Whenever in this pleading it is alleged that Defendant did any act or thing, or failed to do any act or thing, it is meant that Defendant's officers, owners, servants, employees, or representatives and management did such act or thing, or failed to do such act or thing, or that such act or thing or omission was done in the course and scope of that person's employment at PepsiCo, or in the furtherance of Defendant PepsiCo's interests, or with the full authorization, permission, tolerance, and/or ratification of Defendant, or was done by an authorized member of management of Defendant or was done in the normal routine of the accepted, tolerated, or permitted conduct, customs, and/or practices of Defendant's officers, owners, servants, employees, management and/or representatives.

8. All conditions precedent to the filing of this lawsuit have occurred.

**III.  
EXHAUSTION OF ADMINSTRATIVE REMEDIES**

9. Ms. Narcisse filed an original Charge of Discrimination ("Charge") with the Texas Workforce Commission (hereinafter "TWC") on or about October 19, 2020, wherein she averred that Defendant engaged in discrimination against her because of her sex/gender and sexual



orientation by subjecting her to disparate treatment and allowing her male coworkers, at least one of whom was known to incite violence, to berate her and call her a dike bitch and gay hoe, and to threaten her life in front of management and other coworkers and that Defendant then terminated her employment. The TWC assigned Ms. Narcisse's Charge thereto the No. 460-2020-05549.

10. The TWC issued Ms. Narcisse a Right-to-Sue letter on December 14, 2020, and she has timely filed suit.

#### **IV. NOTICE OF FACTS**

11. Ms. Narcisse is an openly gay female. She prefers to wear masculine clothes, and she fully accepts her dominant nature.

12. On October 1, 2018, Defendant hired Ms. Narcisse to work with PepsiCo as a full-time loader in Defendant's warehouse.

13. During Ms. Narcisse's employment at PepsiCo, Defendant kept daily performance logs, which indicated she was one of the best performers in the warehouse. Accordingly, Ms. Narcisse sought promotions with Defendant in line with her qualifications but Defendant never considered her for promotion or promoted her.

14. Determined, however, Ms. Narcisse just focused on performing her best in hopes that Defendant would eventually promote her. Ms. Narcisse's job was physically taxing. Heavy lifting was required by the job.

15. In approximately October 2019, Ms. Narcisse was injured at work while lifting and was placed on light duty. Although on light duty, Defendant regularly forced Ms. Narcisse to work jobs that exceeded her physical abilities and medical limitations by requiring her to lift items heavier than her medical restrictions allowed.

16. Although Ms. Narcisse complained directly to management that the work she was required to do was outside of her medical restrictions, Defendant did not change her workload or assignment. Further, Ms. Narcisse felt pressured to return to full-duty work because her coworkers constantly told her that Defendant would get rid of her if she did not return to full time work. Even manager Richard had “joked” with Ms. Narcisse about her losing her job.

17. Worried about her job, Ms. Narcisse requested that her doctor release her to full-duty work in approximately November 2019 although she did not feel physically ready to return to fulltime work.

18. In mid-November 2019, Ms. Narcisse’s doctor released her back to work with physical restrictions and Ms. Narcisse reported to work on or about November 15, 2019. While there, however, Defendant’s warehouse manager, Maria told Ms. Narcisse that she could not be at work with medical restrictions and that she was not able to return to work until fully cleared from all restrictions.

19. Based on Maria’s instructions, Ms. Narcisse went out on medical leave from November 2019 to approximately December 2019.

20. Upon her doctor’s release, Defendant reassigned Ms. Narcisse to her full-time loader position.

21. At around this same time period, a male employee named Barrett repeatedly called Ms. Narcisse a dike bitch. Despite this discriminatory slur, Defendant allowed Barrett to continue to work with Ms. Narcisse.

22. In February 2020, Ms. Narcisse re-injured her back on the job, and this time, Defendant’s doctor placed her on medical leave as her back injury was significant.

23. While on medical leave, in approximately June 2020 Ms. Narcisse's supervisor Richard Medina texted her pressuring her to come back to full duty work. In fact, Mr. Medina also had other workers such as Terrance also text Ms. Narcisse urging her to come back to work. A coworker told Ms. Narcisse that Mr. Medina had said that if she returned to work before her back fully healed, there would be a claw position available upon her return to work.

24. Physically unable, Ms. Narcisse remained out on medical leave. On or about June 11, 2020, Ms. Narcisse underwent surgery to reduce the tension on her back.

25. In August of 2020, Mr. Medina spoke to Ms. Narcisse's doctor and afterwards, Ms. Narcisse's doctor fully released her back to work. Ms. Narcisse returned to work on or about August 24, 2020.

26. On her first day back, Narcisse was operating a forklift down an aisle when another employee, Josh, ran the pallet jack he was operating into the end of Ms. Narcisse's forklift.

27. Josh charged towards Ms. Narcisse as if he was going to strike her. Supervisor John came down the aisle to see what was going on. In the presence of Supervisor John and another coworker, Josh called Plaintiff Narcisse a dike bitch, a gay hoe and threatened to shoot her several times.

28. Upon information and belief, this was not Josh's first time physically threatening a coworker while working with Defendant.

29. Based on Josh's aggression and hostility towards her, Ms. Narcisse was reasonably scared for her life. Even in front of Supervisor John, Josh continued to physically threaten Ms. Narcisse's life and yell that he would shoot her dike ass. Ms. Narcisse endured these threats without management intervention for at least 10 minutes. Eventually, Supervisor John walked Josh off Defendant's premises, and told Ms. Narcisse, "I need to get this nig-er out of here."

30. The next day, Ms. Narcisse went to work only to see Richard, John and Josh in the office talking and laughing. Ms. Narcisse immediately went to complain to warehouse manager Clint, who had not witnessed the incident the day before. Ms. Narcisse told Clint she did not feel comfortable working within Josh's presence and wanted to go home until it was safe to return to work but Clint asked her to stay while he investigated her claims.

31. Thirty minutes later, Clint came back to Ms. Narcisse and suspended her employment pending further investigation while Josh, the male coworker, who had called Ms. Narcisse a dike bitch, gay hoe and threatened to shoot her was not immediately suspended. Defendant told Ms. Narcisse that they would contact her upon the completion of Defendant's investigation.

32. For weeks Defendant did not reach out to Ms. Narcisse. In fact, Ms. Narcisse had to call Defendant several times to get an update.

33. On or about September 10, 2020, Defendant PepsiCo terminated Ms. Narcisse's employment alleging that Ms. Narcisse violated Defendant's policy regarding anti-violence by threatening a fellow coworker but that was completely false and Defendant's management knew it. In fact, Defendant's supervisor John witnessed the incident and knew that it was Josh, the male employee who made hateful and discriminatory comments about Ms. Narcisse's sex and sexual orientation and threatened to shoot her in front of other coworkers.

34. As set forth above, Defendant has subjected Ms. Narcisse to disparate treatment by its harsh discipline towards her and its failure to promote her in comparison to its male employees and/or its employees who are not openly gay. The facts herein demonstrate that Defendant's adverse actions against Ms. Narcisse was based on her sex/gender and/or sexual orientation.

**V.  
CAUSES OF ACTION**

**A. Gender Discrimination in Violation of the Texas Commission on Human Rights Act (“TCHRA”)**

35. Plaintiff repeats and re-alleges by reference each and every allegation contained in the paragraphs above and incorporates the same herein as though fully set forth.

36. As herein alleged, Defendant illegally discriminated against and subjected Plaintiff to disparate treatment because of her gender (female) and/or because of her sexual orientation. Specifically, Defendant illegally subjected Plaintiff to disparate treatment in the form of repeated but unwarranted failures to promote, harassment, harsh treatment, maltreatment, denied benefits, discipline and termination based in whole or part on her gender and/or her sexual orientation.

37. Defendant had no legitimate business reasons for any of its acts of discrimination and harassment toward Plaintiff. Each act of gender discrimination and harassment is in violation of the TCHRA.

38. As a direct and proximate result of Defendant's willful, knowing and intentional discrimination against her, Plaintiff has suffered and will continue to suffer pain and suffering, and extreme and severe mental anguish and emotional distress. Plaintiff is thereby entitled to general and compensatory damages in amounts that will be proven at trial.

39. The above-described acts on Defendant's part were undertaken in violation of the TCHRA, and the above-described acts proximately caused Plaintiff substantial injuries and damages.

**VI.  
JURY DEMAND**

40. Plaintiff requests that this action be heard before a jury and will pay the jury fee as required by the Rules.

**VII.  
REQUEST FOR DISCLOSURE**

41. Under Texas Rule of Civil Procedure 194, Plaintiff requests that Defendant disclose, within 50 days of service of this request, the information or material described in Rule 194.2.

**VIII.  
PRAYER**

WHEREFORE, premises considered, Plaintiff prays that Defendant be cited to appear and answer herein, and that on final trial, Plaintiff have judgment against Defendant for:

- a. Permanent injunction enjoining Defendant, its agents, successors, employees, and those acting in consort with Defendant from engaging in any employment practice which discriminates on the basis of sex/gender and/or sexual orientation;
- b. All damages to which Plaintiff may be entitled pursuant to this Original Petition, or any amendment(s) thereto, including but not limited to back pay, reinstatement or front pay in lieu of reinstatement, loss of earnings in the past, loss of earning capacity in the future, loss of benefits in the past, loss of benefits in the future, statutory relief at law, and equity;
- c. Compensatory damages for pain and mental suffering in the past and future;
- d. Punitive damages in an amount above the minimum jurisdictional limit of the Court;
- e. Reasonable attorney's fees, with conditional awards in the event of appeal;
- f. Pre-judgment interest at the highest rate permitted by law;
- g. Post-judgment interest from the judgment until paid at the highest rate permitted by law;
- h. Costs of court and expert witness fees incurred by Plaintiff in the preparation and prosecution of this action; and
- i. Such other and further relief, at law or in equity, to which Plaintiff may be entitled, whether by this Petition or by any amendment hereto.

Respectfully submitted,

*/s/ Marjorie A. Murphy*

---

Marjorie A. Murphy  
State Bar No. 24013218  
2101 Citywest Blvd, Ste. 100  
Houston, Texas 77042  
Telephone: (832) 564-3804  
Facsimile: (832) 553-7441  
Email: [marjorie@themurphyllawpractice.com](mailto:marjorie@themurphyllawpractice.com)  
**ATTORNEY FOR PLAINTIFF,**  
**JACKEE NARCISSE**



7018 2290 0001 3525 5149

CAUSE NO. 202106531

RECEIPT NO. 890527

\*\*\*\*\*

75.00

CTM

TR # 73837602

PLAINTIFF: NARCISSE, JACKEE

vs.

DEFENDANT: BOTTLING GROUP LLC (D/B/A PEPSICO)

In The 215th  
Judicial District Court  
of Harris County, Texas  
215TH DISTRICT COURT  
Houston, TX

## CITATION (CERTIFIED)

THE STATE OF TEXAS  
County of Harris

TO: BOTTLING GROUP LLC (D/B/A PEPSICO) (A CORPORATION) MAY BE SERVED BY  
SERVING ITS REGISTERED AGENT CT CORPORATION SYSTEM

1999 BRYAN STREET STE 900 DALLAS TX 75201 - 3136

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

This instrument was filed on the 2nd day of February, 2021, in the above cited cause number and court. The instrument attached describes the claim against you.

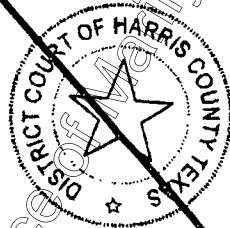
YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

TO OFFICER SERVING:

This citation was issued on 3rd day of February, 2021, under my hand and seal of said Court.

Issued at request of:

MURPHY, MARJORIE A.  
2101 CITYWEST BLVD., STE.100  
HOUSTON, TX 77042  
Tel: (832) 564-3804  
Bar No.: 24013218



*mail Burgess*  
MARILYN BURGESS, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002  
(P.O. Box 4651, Houston, Texas 77210)

Generated By: THAYER, CECILIA MUK//11679638

## CLERK'S RETURN BY MAILING

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and executed by mailing to Defendant certified mail, return receipt requested, restricted delivery, a true copy of this citation together with an attached copy of PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE to the following addressee at address:

(a) ADDRESSEE

ADDRESS

Service was executed in accordance with Rule 106  
(2) TRCP, upon the Defendant as evidenced by the return receipt incorporated herein and attached hereto at

on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
by U.S. Postal delivery to \_\_\_\_\_

This citation was not executed for the following reason: \_\_\_\_\_

MARILYN BURGESS, District Clerk  
Harris County, TEXAS

By \_\_\_\_\_, Deputy

RECORDER'S MEMORANDUM  
This instrument is of poor quality  
at the time of imaging

\*73837602\*

EXHIBIT A-3

7018 2290 0001 3525 5149

CAUSE NO. 202106531

RECEIPT NO. 890527  
\*\*\*\*\*

75.00 CTM  
TR # 73837602

PLAINTIFF: NARCISSE, JACKEE  
vs.  
DEFENDANT: BOTTLING GROUP LLC (D/B/A PEPSICO)

In The 215th  
Judicial District Court  
of Harris County, Texas  
215TH DISTRICT COURT  
Houston, TX

CITATION (CERTIFIED)

THE STATE OF TEXAS  
County of Harris

TO: BOTTLING GROUP LLC (D/B/A PEPSICO) (A CORPORATION) MAY BE SERVED BY  
SERVING ITS REGISTERED AGENT CT CORPORATION SYSTEM

1999 BRYAN STREET STE 900 DALLAS TX 75201 - 3136

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

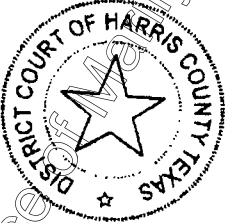
This instrument was filed on the 2nd day of February, 2021, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

TO OFFICER SERVING:

This citation was issued on 3rd day of February, 2021, under my hand and seal of said Court.

Issued at request of:  
MURPHY, MARJORIE A.  
2101 CITYWEST BLVD., STE.100  
HOUSTON, TX 77042  
Tel: (832) 564-3804  
Bar No.: 24013218



*Marilyn Burgess*  
MARILYN BURGESS, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002  
(P.O. Box 4651, Houston, Texas 77210)

Generated By: THAYER, CECILIA MUK//11679638

CLERK'S RETURN BY MAILING

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and executed by mailing to Defendant certified mail, return receipt requested, restricted delivery, a true copy of this citation together with an attached copy of PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE to the following addressee at address:

\_\_\_\_\_  
\_\_\_\_\_  
(a)ADDRESSEE  
\_\_\_\_\_

ADDRESS  
  
Service was executed in accordance with Rule 106  
(2) TRCP, upon the Defendant as evidenced by the return receipt incorporated herein and attached hereto at

on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
by U.S. Postal delivery to \_\_\_\_\_

This citation was not executed for the following reason: \_\_\_\_\_  
\_\_\_\_\_

MARILYN BURGESS, District Clerk  
Harris County, TEXAS  
  
By \_\_\_\_\_, Deputy

**Marilyn Burgess**

HARRIS COUNTY DISTRICT CLERK

Marilyn Burgess - District Clerk Harris County

Envelope No. 50325993

By: Cynthia Clausell-McGowan

Filed: 2/3/2021 3:08 PM

201 Caroline | P.O. Box 4651 | Houston, Texas 77210-4651 | 832-927-5800 | www.hcdistrictclerk.com

**Request for Issuance of Service**

CASE NUMBER: \_\_\_\_\_

CURRENT COURT: \_\_\_\_\_

Name(s) of Documents to be served: Original PetitionFILE DATE: 02/02/21 Month/Day/Year**SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):**Issue Service to: Bottling Group, LLC d/b/a PepsiCoAddress of Service: 1999 Bryan Street, Ste. 900City, State & Zip: Dallas, Texas 75201-3136Agent (if applicable) CT Corporation System**TYPE OF SERVICE/PROCESS TO BE ISSUED: (Check the proper Box)**

- ☐ Citation    ☐ Citation by Posting    ☐ Citation by Publication    ☐ Citations Rule 106 Service  
☐ Citation Scire Facias    Newspaper \_\_\_\_\_  
☐ Temporary Restraining Order    ☐ Precept    ☐ Notice  
☐ Protective Order  
☐ Secretary of State Citation (\$12.00)    ☐ Capias (not by E-Issuance)    ☐ Attachment (not by E-Issuance)  
☐ Certiorari    ☐ Highway Commission (\$12.00)  
☐ Commissioner of Insurance (\$12.00)    ☒ Hague Convention (\$16.00)    ☐ Garnishment  
☐ Habeas Corpus (not by E-Issuance)    ☐ Injunction    ☐ Sequestration  
☐ Subpoena  
☐ Other (Please Describe) \_\_\_\_\_

(See additional Forms for Post Judgment Service)

**SERVICE BY (check one):**

- ☐ ATTORNEY PICK-UP (phone) \_\_\_\_\_    ☐ E-Issuance by District Clerk  
☐ MAIL to attorney at: \_\_\_\_\_    (No Service Copy Fees Charged)  
☐ CONSTABLE  
☒ X CERTIFIED MAIL by District Clerk  
**Note: The email registered with EfileTexas.gov must be used to retrieve the E-Issuance Service Documents. Visit [www.hcdistrictclerk.com](http://www.hcdistrictclerk.com) for more instructions.**  
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: \_\_\_\_\_ Phone: \_\_\_\_\_  
☐ OTHER, explain \_\_\_\_\_

Issuance of Service Requested By: Attorney/Party Name: Marjorie A. Murphy Bar # or ID 24013218Mailing Address: 2101 Citywest Blvd., Ste. 100, Houston, Texas 77042Phone Number: 832-564-3804

EXHIBIT A-4

2021-06531

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our web site at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee  
\$ 3.60 FEB - 4 2021

Extra Services & Fees (each box add fee as appropriate)  
☐ Return Receipt (hardcopy)  
☐ Return Receipt (electronic)  
☐ Certified Mail Restricted Delivery  
☐ Adult Signature Required  
☐ Adult Signature Restricted Delivery

Postage  
\$ 1.40  
Total Postage and Fees  
\$ 5.00

Sent To  
BOTTLING GROUP LLC (DBA PEPSICO)  
C/O CT CORPORATION SYSTEM  
1999 BRYAN STREET STE 900  
DALLAS, TEXAS 75201-3136

Postmark Here  
SAM HOUSTON POST OFFICE  
FEB 4 2021

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

02-04-2021

**RECORDER'S MEMORANDUM**  
This instrument is of poor quality  
at the time of imaging.

EXHIBIT A-5